

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**ARB No. 415 of 2022 (O&M)
Date of Decision: 08.12.2022**

V.R.C (INDIA) PVT LTD

.....**Petitioner**

Versus

MUNICIPAL COUNCIL RAJPURA

.....**Respondent**

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.P.S.Rana, Advocate and
Mr.G.S.Rana, Advocate
for the petitioner.

Mr.Birinder Pal, Advocate
for the respondent.

RAJ MOHAN SINGH, J. (Oral)

The petitioner has preferred this petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of an arbitrator to adjudicate the dispute between the parties arising out of work of construction of modern bus stand, Municipal Council, Rajpura allotted to the petitioner vide allotment letter dated 09.11.2001.

Vide order dated 12.11.2021 passed in ARB No. 111 of 2018, titled V.R.C.Construction (India) Pvt.Ltd. vs. Municipal Council, Rajpura, Hon'ble Mr.Justice R.K.Jain (Retd.) was appointed as an arbitrator on the basis of consensus arrived at between the parties.

In view of the appointment of the Arbitrator/ Hon'ble Judge in the National Company Law Appellate Tribunal, New Delhi, a new arbitrator has to be appointed in his place.

Factual position of the case is not in dispute. Learned counsel for the respondent, however, submits that the

respondent has parted with some amount towards fee of the arbitrator.

In view of above, I am of the considered opinion that a new arbitrator has to be appointed in place of former Judge/Arbitrator with a liberty to the respondent to avail its remedy in accordance with law.

In view of the facts and circumstances of the case, I hereby appoint Hon'ble Mr.Justice Virender Singh, Chief Justice (Retd.) House No.233, Sector 11-A, Chandigarh (Mobile: 9431115601) as the sole Arbitrator, to resolve the dispute/difference between the parties.

The new arbitrator would comply with the requirement of necessary declaration as required under Section 12 of Arbitration and Conciliation Act, 1996.

The venue will be as per convenience of the Arbitrator.

A copy of this order be dispatched to the Arbitrator at the following address:-

“Hon'ble Mr.Justice Virender Singh, Chief Justice (Retd.) House No.233, Sector 11-A, Chandigarh (Mobile: 9431115601).”

Petition stands disposed of accordingly.

For verification of facts, a copy of order dated 12.11.2021 be also dispatched along with this order.

(RAJ MOHAN SINGH)
JUDGE

08.12.2022

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1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No